	Application No.	Applicant(s)
Notice of Allowability	09/550,354	WEBER ET AL.
	Examiner	Art Unit	
	Yogesh C. Garg	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *10/13/2006 & Interview in person On 12/7/06*.

2. ☒ The allowed claim(s) is/are *1-3,5-9,11-19,22-33 and 35-55*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None ·of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
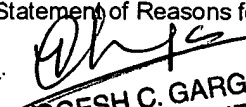
    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1)☐ hereto or 2)☐ to Paper No./Mail Date _____ .

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *12/8/2006* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Response to Amendment

1.   The applicant's amendment received on 10/13/2006 is acknowledged and

entered. Claims 1, 11, 12, 22, 27, 33, 37,and 46 are currently amended. Currently

claims 1-3,5-9,11-19 and 22-33, and 35-55 are pending for examination.

Response to Arguments

2.   Applicant's arguments, see Remarks, pages 15-19, filed 10/13/2006, with respect

to currently amended claims 1-3,5-9,11-19, 22-33 and 35-55 have been fully considered

and are persuasive.

EXAMINER'S AMENDMENT

3.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview

with Mr. Gregory A. Hermanson on 12/07/2006.

The application has been amended as follows:

Claim 1(Currently amended). A method of facilitating the creation of personalized products, for use in a system where a user on a user computer can access at least one host merchant computer via a communication network, the host merchant computer including a web server in communication with a products database containing information on products available for personalization and further containing manufacturing capabilities of a plurality of vendors capable of producing the products available for personalization, the method comprising:

providing to the user via said communication network at least one web page providing an assortment of product selections for products in the products database, wherein the products database contains two or more products, and one or more products available in the products database are associated with manufacturing capabilities of two or more vendors, capable of producing the product, wherein said manufacturing capabilities comprise user contributed individual enhancements capabilities of the product;

receiving a message from the user via said communication network indicating a selection of a selected product from said assortment of product selections, the selected product being associated with the manufacturing capabilities of two or more vendors capable of producing the selected product;

retrieving a set of manufacturing capabilities for the selected product from the products database, the set of manufacturing capabilities including manufacturing capabilities of said two or more vendors capable of producing the selected product;

providing to the user via said communication network a design interface, said design interface comprising at least one web page including at least one design tool that allows the user to select configuration options and to create the individualized enhancements for the selected product, wherein said design tool is configured to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected a set of configuration options and created a set of individualized enhancements for the selected product are within the manufacturing capabilities retrieved from the database of at least one vendor of said two or more vendors capable of producing the selected product;

receiving from fine user via said design interface a the set of selected configuration options selections and a the set of individualized enhancements for the selected product;

selecting a vendor from said two or more vendors, the selected vendor being capable of producing the selected product personalized with the set of selected configuration options selections and the set of individualized enhancements;

converting the set of selected configuration options selections and the set of individualized enhancements for the selected product into a file having a format compatible with the needs of the selected vendor; and

communicating the file to the selected vendor.

11.   (Currently   Amended) A   method   of   facilitating   the   creation
of personalized products, for use in a system where a user on a user computer
can access at least one host merchant computer via a communication network,
the method comprising:

providing an assortment of product selections to the user via said communication
network;

receiving a message from the user via said communication network indicating a
selection of a product from said assortment of product selections;

retrieving a set of manufacturing capabilities for the selected product from the
products database, the set of manufacturing capabilities including the manufacturing
capabilities of two or more vendors, capable of producing the selected   product,
wherein   said   manufacturing   capabilities   comprise   user   contributed
individual enhancements capabilities of the selected product;

providing   to   the   user   via   said   communication   network   a   design
interface, said   design interface   comprising   at   least   one   design   too]   that
allows   the   user   to   select configuration   options   and   to   create   the
individualized   enhancements   for   the   selected   product,   and wherein said
design tool is   configured   to   constrain   at   least   one   configuration   option
available in   said   design   interface   in   response   to   a   user   selection   of   a
configuration   option   so   as   to   allow the   user   to   only   select   further

configuration options and created individualized enhancements such that the user selected a set of configuration options and created a set of individualized enhancements are within the manufacturing capabilities retrieved from the database of at least one vendor of the two or more vendors capable of producing the selected product;

receiving from the user via said communication network a request to save a— the set of product selected configurations options and a the set of individualized enhancements for the selected product;

storing said set of selected configuration options selections and said set of individualized enhancements for the selected product in a location accessible to that user via said communication network;

converting the set of selected configuration options and said set of individualized enhancements for the selected product into a file having a format compatible with the needs of at least a first vendor capable of producing the selected product; and

communicating the file to at least the first vendor.

Claim 22 (Currently amended). A method of facilitating the creation of personalized products, comprising:

receiving from a user via a communication network a first set of design components created for a first product, said first set of design

components . corresponding to configuration options and individualized enhancements;

receiving from the user via said communication network an identifier for a second product selected for personalization;

retrieving a set of manufacturing capabilities for the selected product, the set of manufacturing capabilities including the manufacturing capabilities of two or more vendors, ~~from a plurality of vendors~~, capable of producing the selected second product wherein said manufacturing capabilities comprise user contributed individualized enhancements ~~capabilities~~ of the product;

generating a second set of design components derived from said first set of design components, wherein each component of said second set of design components complies with the set of manufacturing capabilities;

providing to the user a design interface comprising at least one design tool enabling the user to modify said design components, wherein said design interface is configured to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create ~~design components~~ individualized enhancements such that the user selected a set of configuration options and a set of created ~~design components~~ individualized enhancements are within the set of manufacturing capabilities of at least one of said two or more vendors capable of producing the selected product; ~~and~~

receiving from the user via. said design interface a the set of selected configuration options and a the set of created individualized enhancements for said selected product;

selecting a vendor capable of producing the selected product with the set of selected configuration options and the set of created individualized enhancements;

converting the set of selected configuration options and the set of individualized enhancements into a file having a format compatible with the needs of the selected vendor; and

communicating the file to the selected vendor.

27. (Currently Amended) A method of facilitating the creation of personalized products, for use in a system where a user on a user computer can access at least one host merchant computer via a communication network, the method comprising:

providing to the user via said communication network a design interface, said design interface comprising at least one design tool that allows the user to select configuration options and to create individualized enhancements, said configuration options and individualized enhancements comprising design components;

receiving a first set of design components corresponding to a first set of individualized enhancements from the user via said design interface before a product to be personalized has been identified;

receiving an identifier for a product selected for personalization from the user via said communication network;

retrieving a set of manufacturing capabilities for the selected product from a products database, the set of manufacturing capabilities comprising the manufacturing capabilities of two or more vendors capable of producing the selected product, wherein said manufacturing capabilities comprise user contributed individualized enhancements ~~capabilities~~ of the selected product;

generating a second set of design components derived from said first set of design components, wherein each component of said second set of design components complies with said set of manufacturing capabilities;

loading said second set of design components into said design interface; and

adapting said design interface to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected configuration options and created individualized enhancements are within the manufacturing capabilities retrieved from the database of at least one of said two or more vendors capable of producing the product.

33. (Currently Amended) A method of designing a personalized product, for use in a system where a user on a user computer can access at least one host merchant computer via a communication network, the host merchant computer including a web

server in communication with products database containing information on products available for personalization and further containing manufacturing capabilities associated with two or more vendors capable of producing the products, the method comprising:

receiving from the host merchant via said communication network at least one

web page providing an assortment of product selections available for personalization;

selecting a product from said assortment using a web-based selection tool;

receiving a design interface from a host merchant via said communication network, said design interface comprising at least one web page including at least one design tool that allows the user to select configuration options and to create individualized enhancements, and wherein said design tool is configured to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected configuration options and created individualized enhancements are within the manufacturing capabilities retrieved from the database of at least one vendor said two or more vendors capable of producing the selected product wherein said manufacturing capabilities comprise user contributed individualized enhancements capabilities of the product;

creating at least one individualized enhancement for said selected product using said design interface;

sending the at least one individualized enhancement for said selected product to the host merchant computer;

selecting a vendor capable of producing the selected product personalized with

the set of configuration options and the at least one individualized enhancement;

converting the at least one individualized enhancement into a file having a format

compatible with the needs of the selected vendor; and

sending the file from the host computer to the selected vendor.

37.   (Currently Amended) A system to allow a user to design personalized

products, the system accessible to a user on a user computer via a communication

network, the system comprising:

a server configured to communicate in communication with said communication

network;

a an executable products database embedded in a computer readable medium in

communication with said server, said products database comprising information on

products available for personalization, and further comprising manufacturing capabilities

of two or more vendors, capable of producing the products, wherein said manufacturing

capabilities comprise user contributed individualized enhancements capabilities

of the product;

a   personalized   product   module configured to communicate   in

communication   with   said   products   database,   said personalized   product

module capable of presenting selections for products   to the   user,   and said

personalized product module further   capable of   receiving   an   identifier   of   a

selected product from the user;

a set of design tools configured to communicate in communication with said personalized product module that and allowing the user to select configuration options and create individualized enhancements for the selected product, wherein said set of design tools is configured to constrain at least one configuration option available in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected configuration options and created individualized enhancements are within the manufacturing capabilities of at least one vendor of the two or more vendors capable of creating the selected product; and

a design buffer configured to communicate in communication with said set of design tools, said design buffer configured to contain capable of containing .configuration options and individualized enhancements generated by the user via said set of design tools during a current design session.

46.   (Currently Amended) A system to allow a user to design personalized products, the system accessible to a user on a user computer via a communication network, the system comprising:

a an executable products database embedded in a computer readable medium comprising information on one or more products available for personalization, and further comprising manufacturing capabilities of two or more manufacturers vendors

capable of creating the one or more products, wherein said manufacturing capabilities

comprise user contributed <u>individualized</u> enhancement<u>s</u> ~~capabilities~~ of the product.

a first module <u>configured to communicate</u>. ~~in communication~~ with said products

database, said first module ~~capable of~~ receiving an identifier of a selected product from

a user; and

a second module <u>configured to communicate</u> ~~in communication~~ with said first

module, said second module comprising at least one design tool that allows the user to

select configuration options and create individualized enhancements, wherein said

design tool is configured to constrain at least one configuration option available

in said design interface in response to a user selection of a configuration

option so as to only allow the user to select further configuration options

and create individualized enhancements such that the user selected configuration

options and created enhancements are within the manufacturing capabilities of at least

one vendor of the two or more vendors capable of creating the selected product.

Allowable Subject Matter

4.   Claims 1-3,5-9,11-19 and 22-55 are allowed. Claims 1, 11, 22, 27, 33, 37 and 46

are independent claims and the rest of the claims are their dependencies

The following is an examiner's statement of reasons for allowance:

4.1. **For claims 1-3, 5-9, 11-19, 33-55**

The prior art of record singly or combined does not fairly suggest or teach that

while personalizing an individual product, inter alia, <u>the steps of retrieving a set of</u>

manufacturing capabilities for a selected product wherein the set of manufacturing capabilities comprising the manufacturing capabilities of two or more vendors capable of producing the selected product, providing to the user via said communication network a design interface, said design interface comprising at least one design tool that allows the user to select configuration options and to create individualized enhancements for the selected product, wherein said design tool is configured to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected configuration options and created enhancements for the selected product are within the manufacturing capabilities retrieved from the database of at least one vendor of said two or more vendors capable of producing the selected product (see claim 1).

The above statement of allowance has been made with particular reference to claim 1, but other independent claims 11, 33, 37 and 46 contain language closely parallel to claim 1 and are allowable for the same reasons as cited above. The dependent claims 2-3, 5-9, 12-19, 35-36, 38-45, 47-55 are allowed for the same reasons as cited above.

4.2. **For claims 22-32**

The prior art of record singly or combined does not fairly suggest or teach that while personalizing an individual product, inter alia, the steps of receiving from a user via a communication network a first set of design components created for a first product, said first set of design components corresponding to

configuration options and individualized enhancements, receiving from the user via said communication network an identifier for a second product selected for personalization, retrieving a set of manufacturing capabilities for the selected product, the set of manufacturing capabilities including the manufacturing capabilities of two or more vendors capable of producing the selected second product wherein said manufacturing capabilities comprise user contributed individualized enhancements of the product, generating a second set of design components derived from said first set of design components, wherein each component of said second set of design components complies with the set of manufacturing capabilities, providing to the user a design interface comprising at least one design tool enabling the user to modify said design components, wherein said design interface is configured to constrain at least one configuration option available in said design interface in response to a user selection of a configuration option so as to only allow the user to select further configuration options and create individualized enhancements such that the user selected a set of configuration options and a set of created individualized enhancements are within the set of manufacturing capabilities of at least one of said two or more vendors capable of producing the selected product (see claim 22)..

The above statement of allowance has been made with particular reference to claim 22, but other independent claim 27 contains language closely parallel to claim 22

and is allowable for the same reasons as cited above. The dependent claims 23-26 and

28-32 are also allowed for the same reasons as cited above.

5.   Discussion of most relevant prior art:

        Rosen (US Patent 6,493,677) teaches a method for facilitating the creation of

personalized products, for use in a system where a user on a user computer can access

at least one host merchant computer via a communication network, the host merchant

computer including a web server in communication with a products database containing

information on products available for personalization and further containing

manufacturing capabilities of a plurality of vendors capable of producing the products

available for personalization (*see at least abstract, Fig.2, Fig.3, col.3, line 64-col.4, line*

3 which show that the products to be personalized can be any product such as, soda

bottles, t-shirts, cups, bill boards, etc.), providing to the user via said communication

network at least one web page providing an assortment of product selections for

products in the products database, each product available in the database being

associated with manufacturing capabilities of one or more vendors capable of producing

the product (see at least FIG.9B which shows a web page providing an assortment of

product selections, such as, different types of flavors, col.5, lines 19-27, col.10, lines 7-

18, available in said products database (see FIG.3, "Product Database 98". As regards

each product being associated with different manufacturing capabilities of one or more

vendors capable of producing the product see col.3, line 64-col.4, line 3, " *Those skilled*

in the art should appreciate that although laser printer 46 comprises a color laser printer

in the illustrative embodiment, other types of printers may be used. For instance, special

purpose printers may be used to create customized products such as t-shirts, cups,

billboards, etc. ".In order to create customized products other than soda bottle, such as

t-shirts, cups and billboards represent products and their capabilities of one or more

vendors because one vendor may be suitable for supplying t-shirts, another for cups

and still another for billboards, and so on). Rosen further teaches providing to the user

via said communication network a design interface, said design interface comprising at

least one web page including at least one design tool that allows the user to select

configuration options and to create individualized enhancements, and wherein said

design tool is conformed to only allow configuration options and enhancements (see at

least Rosen FIG.9C and col.10, lines 10-47, "...*Referring now to FIG. 9C...a JAVA*

applet for image manipulation may be transmitted from WWW server 34 to client

computer 32 for execution within WWW browser 118.....an applet for cropping the

graphic image 194 is provided....to crop the image to a suitable size....A selection tool

196 is also provided to allow the consumer to select a portion of the graphic image

194.....". Note: The WWW page 190 allows the user to select product flavors which

correspond to a tool selecting product configuration options and the JAVA applet for

image manipulation corresponds to the design tool to select graphic image,

manipulate/configure the images as per his personal choices. As regards manufacturing

capabilities from a plurality of vendors that are capable of producing the selected

product, is already analyzed above.) and receiving from the user via said design

interface a set of design configuration selections and a set of individualized

enhancements for said selected product (see at least Rosen col.10, lines 43-47, " Once

the consumer has completed the manipulation......selected the quantity and type of

customized branded merchandise to be ordered , the WWW server 34 may provide a

checkout page 200.....").Rosen does not teach that for the same product two or more

vendors are capable of producing the product. Dworkin (US Patent 4,992,940) discloses

a products database where one or more products are available and associated with

manufacturing capabilities of two or more vendors capable of producing the product,

see at least Figs 6 & 7, col.5, lines 25-27, col.6, lines 16-col.8, line 15, which disclose

that for a product, such as printer [printer is a mere example and instead of a printer the

system is applicable for any other product another product to be purchased by a

potential customer as per his personal choice from the plurality of products available

from two or more vendors] the product database includes two or more vendors having

manufacturing capabilities to produce a printer but the products in Dworkin are not

subject to personalization or individualized enhancements.

    Rosen does not teach that said design tool is configured to constrain at least one

configuration option available in said design interface in response to a user selection of

a configuration option so as to only allow the user to select further configuration options

and created enhancements are within the manufacturing capabilities retrieved from the

database of at least one vendor or the two or more vendors capable of producing the

selected product. Guheen (US Patent 6,473,794B1), see at least: col.9, lines 21-30 and

Fig.3 " 31e", which disclose listings/database including lists of products being

associated two or more vendors being associated, and col. 184, line 37-col.185, line 10

and Figs 72-73 which teach a "product configurator" program which includes showing a

plurality of items for purchase to an user, thereby allowing him to select an item with the

available features only. <u>Guheen does not teach a design tool constraining a user input</u>

<u>of configuration options and individualized enhancements in response to a user</u>

<u>selection of a product configuration option</u>. Meltzer (US 6,125,391) discloses converting

the set of design configuration selection and the set of individualized enhancements for

said selected product into a file having a format compatible with the needs of the

selected vendor and communicating the file to the selected vendor (see at least abstract

and col. 2, lines 32-54) but does not overcome the other deficiencies of Rosen, as

indicated above. No other prior art of record fairly suggests or teaches the deficiencies

of Rosen, Dworkin, Guheen and Metzer.

The applicant's remarks and arguments (see pages 15-19) filed on 10/13/2006

are persuasive and compelling in establishing that the prior art of record does not fairly

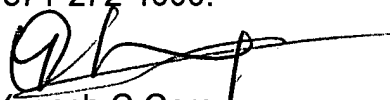suggest or teach the unique features as underlined above.

6.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
12/08/2006